



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

PATENT

In re U.S. Patent Application of:

Chris HECKENKAMP

Serial Number: 09/982,194

Filed: May 28, 2002

)  
)  
)  
)  
)  
)

Group Art Unit: 2872

Examiner: J. Henry

#8  
Electron  
J. Macmillan  
6/27/02

For: Data Carrier Having An Optically Variable Element And Methods For Producing It

RESPONSE TO RESTRICTION REQUIREMENT

Honorable Commissioner For Patents  
Washington, D.C. 20231

Sir:

This paper is in response to the Official Action dated May 28, 2002.

**Applicant elects Invention IV, claims 9-21, 22-32, 34-42, 49-64, and 66-67, for further prosecution on the merits at this time.**

The election is without traverse. However, Applicant respectfully submits that claim 8, which links Inventions I-V, is clearly directed to patentable subject matter (subject to an update search) since the feature of altering the contours of a diffraction structure, as recited in claim 8, is not shown in any of the references cited in allowed parent applications 09/023,430 and 08/300,728.

Having thus complied with the restriction requirement made in the Official Action, early and favorable action on the merits is requested.

Respectfully submitted,  
BACON & THOMAS, PLLC

Date: June 25, 2002

By: BENJAMIN E. URCIA  
Registration No. 33,805

BACON & THOMAS, PLLC  
625 Slaters Lane, 4th Floor  
Alexandria, Virginia 22314  
Telephone: (703) 683-0500

RECEIVED  
JUN 27 2002  
TECHNOLOGY CENTER 2800

## IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

IN RE APPLICATION OF: CHRISTOPH HECKENKAMP

SERIAL NO.: 09/982,194

GROUP ART UNIT: 2872

FILED: May 28, 2002

EXAMINER: J. Henry

FOR: DATA CARRIER HAVING AN OPTICALLY  
VARIABLE ELEMENT AND METHODS FOR  
PRODUCING IT

ATTY. REFERENCE: HECK3001C/BEU

THE COMMISSIONER FOR PATENTS  
Washington, D.C. 20231

Sir:

Transmitted herewith is a communication/amendment in the above-identified application.

- ☐ Small entity status of this application under 37 CFR 1.9 and 1.27 has been established by a verified statement previously submitted.
- ☐ A verified statement to establish small entity status under 37 CFR 1.9 and 1.27 is enclosed.
- ☒ No additional fee is required.

The fee, if any, has been calculated as shown below:

Fee Basis	Number of Claims After Amendment	Highest Number Previously Paid For	Extra Claims	Small Entity	Full Fee
Total Claims		<sup>1</sup>	<sup>3</sup>	× \$ 9 =	× \$ 18 =
Independent Claims		<sup>2</sup>	<sup>3</sup>	× \$ 40 =	× \$ 80 =
<input type="checkbox"/> First Presentation of Proper Multiple Dependent Claim				+ \$135 =	+ \$270 =
<b>TOTAL</b>					

<sup>1</sup> If less than 20 enter 20.<sup>2</sup> If less than 3 enter 3.<sup>3</sup> If less than 0 enter 0.

- ☐ Please charge my Deposit Account Number 02-0200 in the amount of \$ \_\_\_\_\_. A duplicate copy of this sheet is attached.
- ☐ A check in the amount of \$ \_\_\_\_\_ is attached.
- ☒ The Commissioner is hereby authorized to charge any additional fees associated with this communication, including fees due under 37 CFR 1.16 and 37 CFR 1.17 or credit any overpayment to Deposit Account Number 02-0200. A duplicate copy of this sheet is attached.
- ☐ Also enclosed is/are:

BACON & THOMAS, PLLC  
625 SLATERS LANE - FOURTH FLOOR  
ALEXANDRIA, VIRGINIA 223124-1176  
(703) 683-0500

DATE: June 26, 2002

Respectfully submitted,

BENJAMIN E. URCIA

Attorney for Applicant

Registration Number: 33,805